

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL MCGOUGH,

Plaintiff,

v.

RICHARD GADWELL,

Defendant.

Case No. 24-12821

Honorable Laurie J. Michelson

ORDER DISMISSING COMPLAINT [1]

Daniel McGough and Richard Gadwell are both members of Touch of Class Valet, LLC. (ECF No. 1, PageID.2.) On October 23, 2024, McGough filed suit against Gadwell alleging that Gadwell refused to recognize McGough’s ownership interest in the LLC and “unilaterally dissolved the LLC without proper notice or consent from [McGough].” (*Id.*) McGough also alleged that Gadwell retaliated against him by terminating McGough’s employment with the LLC. (*Id.*)

But McGough’s complaint left the Court unsatisfied that it had subject matter jurisdiction over the action. So on November 5, 2024, the Court issued an order instructing McGough to show cause, by November 18, 2024, as to why the Court has diversity jurisdiction or federal question jurisdiction to hear his claims. (ECF No. 5.) The Court warned that a failure to timely or adequately respond would result in a dismissal of the case. (*Id.*)

In his response, McGough concedes that this Court does not have subject matter jurisdiction, and “recognizes that [his] claims arise under Michigan state law.”

(ECF No. 6.) So he asks this Court to “remand the case to the Wayne County Circuit Court in Michigan, where it was intended to proceed.” (*Id.*)

This case, however, did not originate in state court. And so a remand would not be proper. *See* U.S.C. § 1447. If McGough wishes to have his case heard by the Wayne County Circuit Court, he must file his complaint there.

Thus, for the foregoing reasons, McGough’s case is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

Dated: November 26, 2024

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE